

**REGULATION 2-2019**

**REGULATION ADOPTING REVISED LOCAL FEES FOR FOOD SERVICE OPERATIONS, RETAIL FOOD ESTABLISHMENTS, VENDING OPERATIONS, TEMPORARY FOOD SERVICES AND MOBILE FOOD SERVICES**

The Board of Health of the Hamilton County General Health District met in regular session on October 14, 2019 with the following members present:

Jim Brett, President

yes

Mark A. Rippe, Vice President

yes

Elizabeth Kelly, M.D.

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Tracey A. Puthoff, Esq.

yes

Kenneth G. Amend, M.D.

yes

Dr. Amend moved for adoption of the following regulation:

**Regulation 2-2019 adopting revised fees pursuant to the Ohio Revised Codes 3709.09, 3709.21, 3717.25 and 3717.45 for food service operations, retail food establishments, vending operations, temporary food services and mobile food services.**

**WHEREAS**, the Board of Health of the Hamilton County General Health District has the authority pursuant to the Ohio Revised Codes 3709.09, 3709.21, 3717.25 and 3717.45 to establish a uniform system of fees for services; and

**WHEREAS**, the Board of Health of the Hamilton County General Health District is mandated to provide services that protect the public health and prevent disease; and

**WHEREAS**, the Board of Health of the Hamilton County General Health District licenses and inspects all food service operations, retail food establishments, vending operations, temporary food services and mobile food services within its jurisdiction; and

**WHEREAS**, the Board of Health of the Hamilton County General Health District has determined it is necessary to revise the fees food service operations, retail food establishments, vending operations, temporary food services and mobile food services pursuant to Ohio Revised Code 3717, and Ohio Administrative Code 3701-21 and 901:3-4; and

**WHEREAS**, any entity that would be affected by the revision to the fees for food service operations, retail food establishments, vending operations, temporary food services and mobile food services were advised by the Board of Health of the Hamilton County General Health

District at least twenty (20) days prior to establishing the revised fees pursuant to Ohio Revised Code 3717.25(A) and 3717.45(A); and

**NOW, THEREFORE BE IT RESOLVED** that the Board of Health of the Hamilton County General Health District hereby adopts the revised local fee schedule as follows for food service operations, retail food establishments, vending operations, temporary food services and mobile food services, effective December 1, 2019:

<b>Local Fees:</b>	C1S	Commercial Class 1	Less than or equal to 25,000 sq ft	\$179.00
	C1L	Commercial Class 1	Greater than 25,000 sq ft	\$249.00
	C2S	Commercial Class 2	Less than or equal to 25,000 sq ft	\$199.00
	C2L	Commercial Class 2	Greater than 25,000 sq ft	\$261.00
	C3S	Commercial Class 3	Less than or equal to 25,000 sq ft	\$360.00
	C3L	Commercial Class 3	Greater than 25,000 sq ft	\$867.00
	C4S	Commercial Class 4	Less than or equal to 25,000 sq ft	\$450.00
	C4L	Commercial Class 4	Greater than 25,000 sq ft	\$918.00
		Mobile Food Operations		\$60.00
		Temporary Food Operations		\$38.00 per event
		Vending		\$6.85 per location

**State Fees** In addition to the local fee for a license, a state fee portion, which is determined by the Public Health Council pursuant to the Ohio Revised Code, will be added.

**Late Fees** Pursuant to Ohio Revised Code 3717.23 and 3717.43 if a person or government entity does not file a renewal application with the licensor postmarked on or before the first day of March or, in the case of a mobile or seasonal retail food establishment, the first day of operation in a new licensing period, the licensor shall assess the maximum penalty as permitted by law.

**BE IT FURTHER RESOLVED** that the Board of Health of the Hamilton County General Health District hereby finds by a vote of at least three-fourths of its members that this regulation be read only once and the requirement that it be read on three different days be dispensed with as provided by law; and

**BE IT FURTHER RESOLVED** that any previous regulation, rule or policy adopted by the Board of Health of the Hamilton County General Health District, that in any way conflicts with this regulation in part or in whole is rescinded and repealed in part or in whole to the extent of any conflict; and

**BE IT FURTHER RESOLVED** by this Board of Health of the Hamilton County General Health District that the regulation be published in one newspaper of general circulation within the Hamilton County General Health District once a week for two consecutive weeks and that

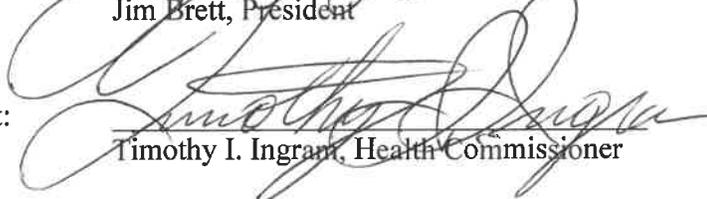
the first publication take place no later than ten (10) days prior to the effective date of the regulation;

**BE IT FURTHER RESOLVED** that the Board of Health of the Hamilton County General Health District finds and determines that all formal actions relative to the passage of this regulation were taken in an open meeting of the Board and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with the applicable legal requirement, including Ohio Revised Code 121.22.

Ms. Puthoff seconded the regulation, upon roll call, the vote was as follows:

Jim Brett, President	<u>yes</u>
Mark Rippe, Vice President	<u>yes</u>
Elizabeth Kelly, M.D.	<u>          </u>
Tracey A. Puthoff, Esq.	<u>yes</u>
Kenneth G. Amend, M.D.	<u>yes</u>

Board of Health of the Hamilton County General Health District

 Jim Brett, President	<u>October 14, 2019</u> Date
Attest:  Timothy I. Ingram, Health Commissioner	<u>Oct. 14, 2019</u> Date

This regulation was approved as to form by the office of the Hamilton County Prosecuting Attorney, Joseph T. Deters, Prosecutor.

By:  Nee Fong Chin Chief Assistant Prosecuting Attorney	<u>October 14, 2019</u> Date
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